



James T. Farha
President

525 Central Park Drive, Suite 600
Oklahoma City, OK 73105-1706
P. O. Box 18145
Oklahoma City, OK 73154-0145
405-556-9278
Fax 405-556-9255
jfarha@osla.org

June 3, 2016

Secretary Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW, Room TW-A325
Washington, DC 20554

RE: Comments to Notice of Proposed Rulemaking – CG Docket No. 02-278, FCC 16-57

Dear Ms. Dortch:

On behalf of Oklahoma Student Loan Authority, we are writing to express our agreement with and support of the comments submitted by Education Finance Council (EFC) in response to the Federal Communications Commission's (the Commission) Notice of Proposed Rulemaking (NPRM) revising rules under the Telephone Consumer Protection Act (TCPA) to implement a provision of the Bipartisan Budget Act of 2015 (BBA) that exempts from TCPA's prior-express-consent requirement autodialed and prerecorded calls "made solely to collect debt owed to or guaranteed by the United States." EFC is the national trade association representing nonprofit and state-based education loan organizations including Oklahoma Student Loan Authority.

Oklahoma Student Loan Authority was created as an express trust under applicable Oklahoma Statutes and a Trust Indenture dated August 2, 1972, with the State of Oklahoma accepting the beneficial interest therein. The Authority is a component unit of the State and is included in the financial statements of the State as a part of the Enterprise Fund. The Authority does not receive any appropriations or support from the State.

The Authority is governed by a Board of five trustees who are appointed by the governor of the State of Oklahoma, subject to the advice and consent of the State Senate, for overlapping five year terms. The day-to-day management of the Authority is vested in the Executive Staff composed of the President and department Vice Presidents appointed by the Trustees of the Authority.

Operations activities of the Authority are managed by departmental Directors and Team Leaders. The authority is an eligible lender/holder, a loan servicer and a secondary market in the guaranteed Federal Family Education Loan Program. In addition, effective July 16, 2012, the Authority was awarded a Not-For-Profit (NFP) Service Loan servicing contract by the U.S. Department of Education to service Federal Student Loans owned by the Department of Education. We Perform loan servicing functions under the registered trade name "OSLA Student Loan Servicing™". OSLA's sole business is the servicing of loans made under the FFEL act and Direct Loans made by the Federal government. A main function of servicing loans involves repetitive contact with the borrowers who become delinquent or go into default.

Oklahoma Student Loan Authority agrees with the following comments and proposals submitted by EFC:

- Federal student loan debt is a unique class of debt, and the student loan borrower population is most likely to live in a household with only wireless telephones. Therefore, federal student loan debt should be addressed separately from other forms of federal debt with regards to the provisions of the TCPA.
- Oklahoma Student Loan Authority agrees with the Commission's proposal that federal student loan servicing calls, including those for the legacy FFELP portfolio, are debt collection calls, and therefore should be included under the BBA's exception to the TCPA.
- Oklahoma Student Loan Authority disagrees with the Commission's proposal to exclude calls to borrowers who are not delinquent. Oklahoma Student Loan Authority proposes an expansion of the trigger event for student loan servicing to allow for calls to the debtor any time there is a pending change in loan status, a regulatory deadline approaching, or an action required by the borrower, all of which may and do occur prior to delinquency.
- The Commission's proposal also includes an arbitrary limit on the number of call attempts to delinquent borrowers that is far too restrictive to meet the Administration's and Congress's goals. In general, it takes several call attempts simply to establish live contact with a borrower, and multiple live contacts to help the borrower enroll in an appropriate repayment plan or rehabilitation program to resolve their delinquency or default. However, the NPRM sets a maximum limit of three call attempts per month. Under this three-call attempt limit, servicers and collectors will, in most instances, be unable to make live contact with a borrower before it's too late to help avoid delinquency or default, or to help those in default to rehabilitate their loans.
- Oklahoma Student Loan Authority supports EFC's proposal regarding call frequency and duration, in which contact attempts may not exceed nine (9) in any consecutive seven-day period. Calls resulting in a live conversation regarding the servicing or collection of federal student loan debt must **not** be limited in duration as this would curtail the servicers' ability to properly explain the various unique and often complex options available to resolve federal student loan delinquency and default, and to gather the factual information needed to help the consumer reach the option best suited for his or her individual circumstance.
- Oklahoma Student Loan Authority opposes the Commission's proposals that further restrict calls to landlines, residential lines, or other telephone services. The BBA does not provide the Commission the authority to do so.

Oklahoma Student Loan Authority urges the Commission to issue common sense final regulations that take into account the unique status of the federal student loan programs and the unique role that federal student loan servicers play in engaging borrowers to successfully repay their federal student loan debt.

Sincerely,



James T. Farha